S.B.Cr.Misc. Bail App. No. 4820/2007
(Khemaram Vs. State of Rajasthan)

Date of order : 26/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Ravindra Acharya for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers.

It is contended by learned counsel for the petitioner that no injury has been caused to the deceased by the present petitioner. The eye witnesses do not state that the present petitioner caused any injury to the deceased. The allegation of causing injuries to deceased is against Ramnarain and Ramkumar. So far as the present petitioner is concerned, the allegation against him is that he inflicted lathi blow to Chandu and Om Prakash. I have carefully gone through the injury report of Chandaram as also Om Prakash who are eye witnesses of the occurrence. The injuries suffered by Om Prakash and Chandaram are simple in nature.

Looking to the facts and circumstances of the case and the fact that no injury alleged to have been caused to the deceased by the present petitioner, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Khemaram S/o Ram Kuwar, be released on bail in FIR No. 35/2007 P.S. Merta Road, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP